



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

PAS
F. #2018R01492

*271 Cadman Plaza East
Brooklyn, New York 11201*

September 5, 2018

By E-Mail and ECF

Steven Zissou, Esq.
Zissou & Associates
42-40 Bell Boulevard, Suite 302
Bayside, New York 11361

Re: United States v. Ali Saleh
Criminal Docket No. 18-CR-00468 (BMC)

Dear Mr. Zissou:

Enclosed please find the government's second discovery production in accordance with Rule 16 of the Federal Rules of Criminal Procedure. The government also requests reciprocal discovery from the defendant.

I. The Government's Discovery

A. Defendant's Statements

On July 13, 2018 following the assault alleged in the indictment Defendant Saleh smiled, and stated in sum and substance, to the complaining witness: I hope you die.

Please also find enclosed:

B. Documents and Tangible Objects

Please find enclosed:

- Redacted Medical Records from July 18, 2018, August 1, 2018, August 16, 2018, August 27, 2018 and August 28, 2018, Bates-numbered SALEH000034-42.

II. Future Discussions

If you have any questions or requests regarding further discovery or a disposition of this matter, please do not hesitate to contact me. Specifically, if you have difficulty playing the attached videos please contact me directly.

Please be advised that, pursuant to the policy of the Office concerning plea offers and negotiations, no plea offer is effective unless and until made in writing and signed by authorized representatives of the Office. In particular, any discussion regarding the pretrial disposition of a matter that is not reduced to writing and signed by authorized representatives of the Office cannot and does not constitute a “formal offer” or a “plea offer,” as those terms are used in Lafler v. Cooper, 132 S. Ct. 1376 (2012), and Missouri v. Frye, 132 S. Ct. 1399 (2012).

Very truly yours,

RICHARD P. DONOGHUE
United States Attorney

By: /s/
Philip A. Selden
Assistant U.S. Attorney
(718) 254-6257

Enclosures

cc: Clerk of the Court (BMC) (by ECF) (without enclosures)